

**MINUTES OF REGULAR MEETING
ILLINOIS GAMING BOARD
January 30, 2001
CHICAGO, ILLINOIS**

NOTE: ITEMS IN **BOLDFACE PRINT** REFLECT OFFICIAL BOARD ACTIONS

The Illinois Gaming Board ("Board") held its Regular Meeting on January 30, 2001 in the Auditorium on the 5th floor of the State of Illinois Building, Chicago, Illinois, pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 et seq.

The following Board Members were present: Chairman Gregory C. Jones and Members Sterling M. Ryder, Staci Yandle, Joseph Lamendella, and Stuart P. Levine.

Also in attendance were: Administrator Sergio E. Acosta, Deputy Administrators Joseph Haughey, Allan S. McDonald, Thomas Swoik, and James W. Wagner, Deputy Chief Legal Counsel Jeannette P. Tamayo, and other members of the staff.

Chairman Jones convened the January 30, 2001 Regular Meeting at 10:00 a.m. in the 3rd floor Board Conference Room. Member Ryder moved **that the Board retire to Closed Session pursuant to Section 2(c), paragraphs (1), (11), (14), and (21) of the Open Meetings Act, and Section 6(d) of the Riverboat Gambling Act to discuss the following subject matters:**

- 1. Pending litigation and matters involving probable litigation;**
- 2. Investigations concerning applicants and licensees;**
- 3. Personnel matters; and**
- 4. Closed session minutes.**

Member Levine seconded the motion. The Board adopted the motion by unanimous consent, and retired to closed session.

The Board convened its Open Session at 1:25 P.M.

Approval of Minutes

Member Yandle moved that **the Board approve the Closed Session Minutes for the following meetings:**

- **Special Meeting of May 25, 2000**
- **Regular Meeting of June 29 & 30, 2000**
- **Regular Meeting of July 18, 2000**
- **Special Meeting of July 24, 2000**

- **Special Meeting of August 25, 2000**
- **Regular Meeting of September 14 & 15, 2000**
- **Special Meeting of October 4, 2000**
- **Special Meeting of October 11, 2000**
- **Regular Meeting of October 17, 2000**
- **Special Meeting of November 15, 2000**
- **Special Meeting of November 22, 2000**
- **Regular Meeting of December 5, 2000**

Member Lamendella seconded the motion. The Board approved the motion unanimously by voice vote.

Member Lamendella moved that **the Board approve the Open Session Minutes for the following meetings:**

- **Regular Meeting of December 5, 2000**
- **Special Meeting of January 19, 2001**

Member Yandle seconded the motion. The Board approved the motion unanimously by voice vote.

Member Levine moved that **all portions of the closed session minutes of the Illinois Gaming Board from May 25, 2000 through and including November 22, 2000, for which the need for confidentiality no longer exists be made available for public inspection in accordance with the Open Meetings Act.** Member Ryder seconded the motion. The Board approved the motion unanimously by voice vote.

New Business – Motion to Place Empress Casino on the Agenda

Following a closed session discussion of owner licensee items and litigation matters, Member Yandle moved that **the discussion of a proposed settlement in the administrative hearing entitled “In re the Denial of the Owner’s License of Empress Joliet Casino” be placed on the public agenda for deliberation and decision.**

Member Yandle further moved that **the Agenda for open session for today’s meeting be amended to include “Administrative Hearings - Empress Joliet Casino” as topic number 14.** Member Ryder seconded the motion. The Board approved the motion unanimously by voice vote.

Administrator’s Report

Administrator Acosta announced that Special Counsel to the Board, Robert Casey, has returned from a successful surgery. Administrator Acosta also announced the departure of three employees: Georgia Kolettis, Dan Hintz, and Bill Desmond. Administrator Acosta wished them well.

Mr. Acosta announced that the Gaming Board has excluded Mr. Nicholas Ciotti of Melrose Park, Illinois, from all Illinois riverboat gaming operations. Mr. Ciotti was convicted of conspiracy to participate in illegal gambling activities as well as conspiracy to launder money.

Thomas Swoik, Deputy Administrator, briefed the board on financial information concerning Illinois' riverboats during December 2000. Mr. Swoik stated that the December AGR of \$121.2 million was the lowest since dockside began. Mr. Swoik stated that December is generally a lower month, and that admissions for December were 11.7 percent lower than November. Total AGR taxes for the year 2000 were up by about \$93.5 million, and the state's share was 81.7 million, for a total of \$410 million for the year.

Chairman Jones asked if the drop during the month of December was due to the weather conditions. Mr. Swoik stated that the weather affected it, but that it is also a national trend.

Board Policy Items

Self - Exclusion Policy – Deputy Chief Legal Counsel, Jeannette Tamayo, stated that at the last Board meeting a proposed draft self-exclusion policy was circulated to all licensees, interested advocates, and anyone who requested a copy for comment. Ms. Tamayo stated that staff has received numerous comments ranging from the Illinois Casino Gaming Association to the Council on Compulsive Gambling. Ms. Tamayo stated that the comments were helpful and helped raise questions for the Board and staff to answer on how exactly to implement a self-exclusion policy that does not penalize the individual who is asking for assistance, yet holds that individual and the licensee accountable. Ms. Tamayo asked that the Board authorize staff to circulate a new draft rule, rather than proceeding to file the rule with the Joint Committee on Administrative Rules. Ms. Tamayo stated that the new proposed rule would establish an IGB self-exclusion list, which would be maintained confidentially by staff and not shared with anyone other than those persons who have a specific reason to know. Ms. Tamayo stated that the new proposed rule would require that the identity, name, address, and certain other information of the individuals be permitted to be maintained on a database. Ms. Tamayo stated that there was some concern that even if an individual is removed from the mailing list, because other adults are in that household, the individual may be receiving and be exposed to promotional materials. Ms. Tamayo stated that, with the new proposed rule, a category would be provided whereby the related persons could seek to also be excluded. Ms. Tamayo stated that one of the concerns from the owner licensees was how to track the activities of individuals who come on the riverboat anonymously. Ms. Tamayo stated that among the responsibilities would be to not knowingly allow anyone to enter and maintaining a flagging system on their databases to be able to identify any individuals. Ms. Tamayo stated that the new proposed rule would allow casinos who operate in Illinois and who have affiliate companies elsewhere to share this information, upon the Administrator's

approval, which would allow a person to self-exclude themselves from all of the casinos within that corporate family.

Member Ryder asked if Ms. Tamayo looked at the other states' statutes and rules for a comparison.

Ms. Tamayo stated that she tried to mirror Missouri's statutes. Ms. Tamayo stated that staff did look at New Jersey's statutes and will be looking at additional statutes before the proposed rule is circulated to the public.

Member Ryder asked Ms. Tamayo to share the additional statutes with him.

Member Ryder asked Ms. Tamayo if an owner licensee would be subject to Board discipline if it allowed someone listed on the self-exclusion list onboard to gamble.

Ms. Tamayo stated that the rule provided that if a licensee knowingly allows a person who was on the self-exclusion list onboard to gamble, discipline could be imposed.

Member Yandle asked how a determination would be made that a licensee knowingly allowed a person on the self-exclusion list onboard to gamble.

Ms. Tamayo stated that it would be a straight factual determination. Ms. Tamayo stated that one item that is included in the draft rule is that an internal control system could be set up so that licensees have a process for identifying and flagging individuals.

Member Ryder moved that **the Board direct staff to circulate, upon the Administrator's approval, a Draft Rule for public comment prior to seeking the Board's Approval for filing the rule for First Notice with the Secretary of State.** Member Lamendella seconded the motion. The Board approved the motion unanimously by voice vote.

Proposed Rulemaking – EGD Technology/Rule Amendments – Ms. Tamayo stated that as technology has changed all around, it is also changing within the casino industry. Ms. Tamayo stated that there is the availability of CD-ROMs as an opportunity to store and program and run the casino games. Ms. Tamayo proposed to the Board and circulated to all of the owner licensees and supplier licensees a change in the definitions to create a non-alterable storage media definition. Ms. Tamayo also requested permission to seek to amend two rules in order to implement this: Rule 3000.271 and Rule 3000.660.

Member Ryder asked if staff had any discussion with an expert on the subject.

Ms. Tamayo stated that she didn't believe staff had any conversation with an expert, but that in 1999 the Board authorized consideration of the rule at which that time staff investigated and reviewed the possible security issues that would arise with non-alterable storage media and concluded that there is a way to securely allow this media.

Member Ryder stated that he would like for the Board to hear some independent impartial experts on the subject matter before making a final decision.

Ms. Tamayo agreed and stated that staff is sending the issue to Gaming Laboratories, Inc. which is an outside laboratory, as well as sending it to other experts to give staff their opinions on the validity of the rule.

Based on the staff's recommendation and the prior Board order of April 27, 1999, Member Lamendella moved that **the Board authorize staff to submit proposed Rules 3000.100, 3000.271, and 3000.660 for First Notice Filing with the Secretary of State.** Member Levine seconded the motion. The Board approved the motion unanimously by voice vote.

February Meeting Site – Chairman Jones stated that the Board received a letter from Charles Bidwill, President of Casino Queen, inviting the Board to have a meeting in East St. Louis.

Member Levine asked if holding meetings at locations outside of Chicago and Springfield would have any impact on the Board's domicile for litigation purposes.

Member Ryder stated that the Board has held meetings outside of Chicago in the past.

Member Yandle moved that **the February 27, 2001 regularly scheduled Board meeting be held in East St. Louis at the Crown Hotel.** Member Yandle further moved that **the Administrator be directed to make all necessary arrangements for the meeting.** Member Levine seconded the motion. The Board approved the motion unanimously by voice vote.

Public Commentary

Mick J. Michel, City Manager of East Dubuque, Illinois, was present to discuss the license renewal and relocation of Emerald Casino. Mr. Michel stated that the City of East Dubuque believes that Emerald will gain financially by relocating its operations to the Village of Rosemont, which is not fair, especially when East Dubuque and Jo Daviess County was a gracious host community that will most likely lose in the economic development and in the tourism game, while Emerald, who failed to work with East Dubuque and Jo Daviess County, would gain financially by relocating its operations to the Village of Rosemont. Mr. Michel requested that if the Board denies Emerald Casino's license renewal and relocation to the Village of Rosemont, the location of the license be issued solely within the boundaries of East Dubuque or Dunlieth Township. Mr. Michel requested that, if the Board elects to grant Emerald Casino's license renewal and relocation to the Village of Rosemont, as a condition to its license renewal, Emerald be required to pay the City of East Dubuque \$4 million per year for the next ten years.

Wayne Johnson, Chief Investigator for the Chicago Crime commission, was present to discuss the Commission's concern regarding the location of Emerald Casino and the control of the project from construction to operation. Mr. Johnson also discussed allegations that Rosemont's Mayor Stephens is associated with organized crime. Mr. Johnson stated that after looking further into the proposition, he recognized that a moat around a building does not make a riverboat. Mr. Johnson stated that with that observation along with the ones regarding organized crime, environmental concerns for Rosemont and its surrounding communities have been raised. Mr. Johnson defined a traditional organized crime business associate to the Board. Mr. Johnson informed the Board of a list of organized crime business associates that Mayor Stephens has accumulated over the years. Mr. Johnson urged the Board to reject the Rosemont proposal.

Cynthia Canary, Director of the Illinois Campaign for Political Reform, was present to discuss the influence of money on public policy and the perception of undue influence and corruption. Ms. Curry stated that the regulated gambling industry should not be permitted to curry favor through campaign contributions to those responsible for determining the conditions of a license. Ms. Canary urged the Board to encourage the General Assembly to ban contributions from the regulated gaming industry.

Jack Darin with the Sierra Club, Illinois Chapter, was present to discuss the proposed move of Casino Rock Island from its current downtown location to a flood plain location near the confluence of the Rock and Mississippi Rivers. Mr. Darin stated that the new site is in an area where the natural resources are at risk. Mr. Darin stated that the Sierra Club believes that the move would pose an unnecessary risk to the environment by moving it from an area where it is not posing a threat to habitat or aquatic resources to a site, which would pose a threat.

Monsignor John J. Egan, Depaul University, on his own behalf was present to request that the Board not approve a casino in Rosemont. Monsignor Egan stated that gambling is a destroyer that ruins lives and families, and is addictive and progressive in nature. Monsignor Egan stated that gambling is especially dangerous to the young who are enticed by exciting and risky behavior.

Bob Lahey, Executive Director of the West Central Municipal Conference, was present representing 71 different Cook County suburbs that have a keen interest in the proposed gaming facility in Rosemont and are parties to a revenue sharing agreement. Mr. Lahey stated that the Rosemont Gaming Tax Revenue Distribution Program would provide funding to some of Cook County's most economically depressed communities. Mr. Lahey urged the Board to renew Illinois' only dormant gaming license.

Joe Wiegand, Executive Director of the Family Taxpayers Network, was present to urge the Board to decline the request to renew and relocate the license for Emerald Casino. Mr. Wiegand stated that the General Assembly was informed that a casino in Rosemont would

generate approximately \$200 million annually in adjusted gross revenue and Illinois families and businesses would witness the transfer of \$30 million from the general revenue fund to the horse gambling industry. Mr. Wiegand expressed that a dangerous precedent will be set if the Board approves the transfer of a license from an old town in need of economic development.

Owner Licensee Items

CASINO ROCK ISLAND – Donna More, Attorney, and John Phillips, City Manager, were present on behalf of Casino Rock Island to brief the Board on plans for a site modification. Mr. Phillips expressed his support to the concept of moving Casino Rock Island from the downtown location to the U.S. 92/Interstate 280 interchange. Mr. Phillips stated that the proposed site appears to allow more opportunity for expansion so that businesses could continue to grow, create more jobs and provide more benefit and tax revenue for the State of Illinois as well as the City of Rock Island. Mr. Robert Imler, Vice President of Government Relations for Moline Consumers Company, is the current owner of the site proposed for the site modification of the Rock Island riverboat. Mr. Imler commented that if the site modification is approved, before any progress on the relocation is made, there would have to be a full delineation of the wetlands and all environmental issues in the area. Mr. Imler briefed the board on the site modification and presented a slide presentation.

Member Ryder questioned whether his request at the last meeting, to ask the Attorney General for an opinion, had been met.

Deputy Chief Legal Counsel Jeannette Tamayo stated that staff has requested a formal written opinion from the Attorney General's Office, which has indicated that an opinion may be provided in time for the Board's February meeting.

SOUTHERN ILLINOIS RIVERBOAT/PLAYERS – Mike Crider, Vice President and General Manager, was present on behalf of Southern Illinois Riverboat Casino to request initial consideration of its license renewal. Mr. Crider presented the Board with a short presentation, which highlighted the transformation from Players Island to Harrah's.

Member Ryder stated that he wanted to be sure that the staff report includes information with respect to minority and female hiring and promotional opportunities at Players. Member Ryder also requested that information with respect to credit reports and compliance with the Board rule on the issuance of credit be provided.

Mr. Crider stated that he would work with staff to provide that information.

EMPRESS CASINO – Donna More was present on behalf of Empress Casino to request initial consideration for redemption of shares by Horseshoe Casino Gaming Corporation, which is the parent company of Empress Joliet Casino. Ms. More stated that documents have been provided to staff and that Empress Casino will continue to provide any information staff needs.

EMERALD CASINO – Mike Ficaro, Attorney, was present on behalf of Emerald to request final action for renewal and relocation of Emerald’s license. Mr. Ficaro stated that he is extremely disappointed with the process. Mr. Ficaro stated that for 17 months he appeared before the Board and urged the Board to follow the mandate of the legislature as to the language in the statute that this license should be renewed and relocated. Mr. Ficaro stated that for 17 months or more, the Board stated that it could not proceed despite the language in the statute or the request of Emerald, its key persons and shareholders. Mr. Ficaro stated that 90 minutes before today’s meeting was scheduled, the Administrator indicated that the Board had some serious concerns, which were discussed with Mr. Ficaro for the first time. Mr. Ficaro requested that the Board allow Emerald the opportunity to fully address those serious concerns in more than five minutes and to have time to prepare and respond. Mr. Ficaro stated that allegations brought to the Board by outside people regarding nefarious individuals who are involved with the Village of Rosemont is a very difficult topic to address in five minutes. Mr. Ficaro stated that the allegations are not fact or proof, which the Board should act upon. Mr. Ficaro stated that not only should the Board want to hear a response, but also the Board should want to hear what affirmative changes Emerald would offer to alleviate any concerns. Mr. Ficaro stated that for the Board to act now would be to act precipitously. Mr. Ficaro stated that Emerald, its shareholders and 71 communities are entitled to an opportunity to respond to concerns by the Board.

Mr. Acosta stated that staff met with Mr. Ficaro in mid-November and went through a number of the same concerns that are claimed to have been mentioned for the first time 90 minutes prior to today’s Board meeting. Mr. Acosta stated that staff received a number of letters back from Mr. Ficaro’s clients addressing many of the concerns that were raised by staff. Mr. Acosta stated that there was ample time to address these concerns. Mr. Acosta stated that with respect to what Mr. Ficaro may be referring to as new issues, as limited as those may be, Mr. Ficaro has, on prior occasions, indicated in meetings with staff that he understands what those concerns pertain to and has, in fact, sent a letter to the Board attempting to address some of those concerns. Mr. Acosta stated that it is entirely up to the Board whether or not to consider Mr. Ficaro’s request.

Member Yandle stated that she understands that Mr. Ficaro’s responsibility is to the individuals that he represents. Member Yandle stated that the Board has a responsibility to those individuals as well. Member Yandle stated that the Board’s biggest responsibility is to the citizens of this state, which the Board takes seriously. In regards to Mr. Ficaro’s statement that he wasn’t aware of the Board’s concerns until 90 minutes before the meeting, Member Yandle stated that the characterization, which amounts to an allegation of ambush, is inaccurate.

Member Ryder stated that, in spite of Mr. Ficaro’s eloquence on the matter, the rules are the rules and the system that is present does provide licensees with every opportunity for complete and full due process through an impartial hearing before the final decision of the Board. Member Ryder stated that the initial decision would be based on the staff report after

many months of investigation and conversations with Key persons, owners, lawyers, and agents representing Emerald.

Mr. Ficaro directed a statement to Member Yandle clarifying that he never used the word “ambush”.

Member Yandle responded that it was a question of interpretation.

Mr. Ficaro asked if there are any good reasons not to allow Emerald the opportunity to address concerns that were raised for the very first time.

Member Yandle stated that for Mr. Ficaro to suggest that he did not have an opportunity to respond to issues, which allegedly have been raised for the first time is, in her opinion, inaccurate.

Mr. Ficaro stated that aside from Member Ryder, the Board has never directly or indirectly communicated to Emerald their concerns or serious concerns until his pre-meeting conversation. Mr. Ficaro asked the Board what the harm was in allowing Emerald the opportunity to address those serious concerns.

Chairman Jones stated that the issue is whether Emerald has been aware of the concerns. Chairman Jones stated that he sense that communication between Mr. Acosta and Mr. Ficaro over the past 17 months has been frequent.

Mr. Ficaro responded that communication has not been frequent.

Chairman Jones stated that he has had the opportunity to review a number of letters from Emerald with information relating to various issues that have been raised over time. Chairman Jones stated that it is his understanding that Mr. Ficaro was aware of the issue and that he was aware that a decision was going to be made today.

Mr. Ficaro stated that he was not aware that a decision was going to be made until the Thursday before the meeting.

Chairman Jones stated that Mr. Ficaro had to have known before then because final action on Emerald was indicated on the agenda.

Mr. Ficaro stated that the agenda was not produced until Thursday and that Emerald has been on the agenda in the past and was passed.

Member Lamendella stated that he feels that the Board has reached a conclusion, and that, based upon the statute and its view of the process, the time for a decision is now.

Member Levine presented a motion that the Board recess to discuss the postponement issue raised by Mr. Ficaro. Member Yandle seconded the motion. The motion was passed

unanimously by voice vote. The Board took a short recess at 3:27 p.m. At 3:37 p.m. the Board re-convened.

Chairman Jones stated that the Board decided to deny Mr. Ficaro's request and to proceed with making a decision.

Mr. Acosta reiterated that staff has had a number of conversations with Emerald, and all areas of concern have been discussed with Mr. Ficaro before today's meeting. Mr. Acosta stated that in addition to interviewing various principals and the people involved on the part of Emerald, staff asked Mr. Ficaro if there was anything new that could be provided as to those issues by Emerald. Staff was informed that there was absolutely nothing new that could be provided as to those issues.

Mr. Ficaro stated that the issue he was addressing deals with the specifics of the allegations made by Mr. Johnson of the Crime Commission. Mr. Ficaro stated that he has no basis whatsoever to be able to confront those issues.

Chairman Jones stated that the Board has made a policy of having public commentary and that the Board does not agree or disagree with what any person states. Chairman Jones remarked that Mr. Johnson's constitutes a public statement allowed to be presented to the Board.

Kevin Larson, President and Chief Operating Officer of Emerald Casino, was present to provide the Board with a booklet, which contained the site plan and a brief overview of the information contained in Emerald's application for renewal relative to its development and request for financing the development. Mr. Larson stated that Emerald's site in the Village of Rosemont is located immediately adjacent to Interstate 294, and is one of the preeminent sites for a riverboat casino that's been identified to date, not only in the State of Illinois, but anywhere. Mr. Larson stated that the project consists of three primary elements. The casino barge would provide up to 80,000 square feet that would be available for casino activity, protected for ingress and egress by the turnstiles that are mandated by rule; a dockside pavilion, which would consist of three levels, 170,000 square feet in total, that would support casino activities with food and beverage amenities as well as the administrative offices; and a 3,400 vehicle parking garage. Mr. Larson pointed out that there are two points of entrance, one out of the parking garage and the other from the valet parking operation that would be operating on the west side of the grand hall. Mr. Larson also pointed out that Emerald has requested and proposed to the Board that its \$199 million of estimated total project costs be financed with a combination of debt and equity. Mr. Larson stated that Emerald requested the Board's approval to incur debt financing of as much as \$162 million to finance the development.

Member Ryder stated that, based on the site plan provided, the construction is beautiful but poses a potential problem from his perspective. Member Ryder stated that because the casino would be land based and has windows, it would allow juveniles walking outside of the casino to observe the gambling occurring inside, which is not acceptable in Illinois.

Mr. Larson stated that he is certainly mindful of the requirements and the intent of the legislation. Mr. Larson stated that Emerald would meet all of the Board's requirements and welcomed the opportunity for the Board's specific input as to how Emerald could insure that both the intent and the letter of the law are respected.

Member Ryder asked Mr. Larson if the windows indicated on the site plan could allow people to see through them.

Mr. Larson stated that the colorful semi-circles that Member Ryder was referring to were murals and that you could not see through the murals. Mr. Larson pointed out the areas to which under-aged gamblers would be restricted.

The Board asked Mr. Acosta to provide the staff's recommendation on the renewal application. Mr. Acosta stated that in the spring of 1999, the Illinois legislature passed Senate Bill 1017, which, among other things, amended various portions of the Riverboat Gambling Act. The Governor signed these amendments into law in late June 1999. Mr. Acosta stated that Section 11.2 of the Riverboat Gambling Act provides that a licensee that was not conducting riverboat gambling on January 1, 1998 may apply to the Board for renewal and approval of relocation to a new home dock location authorized under Section 3(c) and the Board shall grant the application and approval upon receipt by the licensee of approval from the new municipality or county, as the case may be, in which the licensee wishes to relocate pursuant to Section 7(j). Mr. Acosta stated that, in September 1999, the Board construed the language to permit Emerald Casino, Inc. to apply for renewal and relocation of its riverboat gambling license. In June 2000, the Board further determined that Section 11.2 did not strip the Board of its discretion to grant or deny the renewal and relocation application. Mr. Acosta stated that the issue now before the Board is the application of Emerald Casino, Inc. for renewal of its riverboat gambling license. Mr. Acosta reported that Emerald filed its application with the Board on September 24, 1999 and that over the past 16 months, staff has engaged in a wide-ranging and thorough investigation of the licensee. Mr. Acosta stated that the staff's investigation has included numerous interviews, including some under oath, and the review and analysis of countless documents. During the course of this investigation, a lawsuit was filed on behalf of an individual who claimed he and others had an agreement with certain principals of Emerald Casino for an ownership interest in the proposed casino in Rosemont. The allegations raised in this lawsuit required staff to attend, and review the transcripts of, many depositions, to review and analyze the numerous documents produced during the course of that litigation, and to conduct its own independent investigation into those allegations.

Mr. Acosta stated that, in considering Emerald's application for renewal of its license, the Board must first determine whether Emerald Casino continues to meet all of the requirements of the Act and the Board's Rules. Mr. Acosta stated that pursuant to Section 7(b) of the Act, the Board must consider, among other things, the character, reputation, experience and financial integrity of the applicants and of any other or separate person that

controls, directly or indirectly, such applicant. The Board's inquiry is also guided by Board Rule 3000.236.

Mr. Acosta stated that all of the criteria in Board Rule 3000.236 has been the subject of the staff's investigation and is addressed in the staff's reports to the Board. Mr. Acosta stated that, based on the staff's investigation, it is the staff's recommendation that this license not be renewed. This conclusion is based upon evidence developed establishing that the licensee and certain of its Key Persons have provided false and misleading information to the Board and have failed to establish a record of regulatory compliance as required by the Board's Rules.

Mr. Acosta stated that casino gambling operations in this country have long been targeted by organized crime, and that the Board must be vigilant in ensuring that organize crime does not infiltrate or gain a foothold in Illinois' casino industry. Mr. Acosta stated that, in this case, unfortunately, there is evidence that organized crime has attempted to gain such a foothold. Mr. Acosta stated that staff has evidence that two of the proposed shareholders of Emerald Casino have close associations with Chicago organized crime figures. Mr. Acosta also stated that known members of organized crime control at least one firm that has done work at the Rosemont site. Mr. Acosta stated that staff has serious concerns that, should this Board approve this renewal and relocation, the Board would have great difficulty in effectively monitoring future efforts by organized crime to compromise the integrity of the proposed casino.

Mr. Acosta stated that staff respectfully recommends that the Board deny the renewal of Emerald Casino's riverboat gambling license.

Member Ryder moved that **the Board Deny license renewal based on the suitability determination of Key Person(s) and/or Emerald Casino, Inc.**

Pursuant to Sections 5(b), 7(a) and 7(g) of the Riverboat Gambling Act and Board Rule 3000.236, I move that the Board enter an initial decision to deny the Emerald Casino Inc.'s application for renewal of its owner's license.

The decision to deny Emerald Casino's application for renewal of its license is based upon the Board's preliminary findings that Donald Flynn, Kevin Flynn, and Emerald Casino, Inc. have failed to establish by clear and convincing evidence that they have met the standards set forth under Sections 7(a), 7(b), 7(g) of the Act and the Board rules.

Member Ryder further moved that **the Board direct the Administrator to issue a written Notice of Denial of license renewal to Emerald Casino, Inc.**

Pursuant to Section 10-65 of the Administrative Procedure Act, Emerald Casino's license shall continue in effect until the Board enters a final agency decision on the

application at the conclusion of an administrative hearing, should Emerald make an appropriate and timely request for such a hearing in full accordance with Board Rule 3000.405. In the event that Emerald fails to make an appropriate and timely request as specified in Board Rule 3000.405 for a hearing within 5 days of delivery of the written Notice of Denial, this action of the Board shall become the final action of the Board denying the Owner licensee's application for renewal.

Further for the reasons stated by the Administrator, Member Ryder moved that **the Board issue a Disciplinary Complaint against Emerald Casino, Inc. for its failure to maintain suitability under Board Rule 3000.236 and to comply with Board Rule 3000.140.**

Member Ryder further moved that **the Board revoke the Owner's License of Emerald Casino, Inc., and find Donald F. Flynn and Kevin F. Flynn unsuitable as key persons of Emerald Casino, Inc. Said action to take effect twenty-one (21) days from the date of service of the complaint unless the licensee requests an Administrative Hearing pursuant to Subpart K of the Board's Rules.** Member Yandle seconded the motion. Member Lamendella opposed the motion. The motion passed 4-1.

Member Lamendella stated that, with proper conditions imposed on the licensee, he does not believe that a casino in Rosemont would compromise the integrity of gaming in Illinois. Member Lamendella stated that Rosemont, based on what he has seen or heard, is not a bastion of organized crime, but a model of municipal magnificence. Member Lamendella stated that it is his belief that the license could have been issued in a manner that would have permitted the expeditious operation of a casino in Rosemont. Member Lamendella further stated that the license could have been conditioned so that the casino could have finished construction and commenced operations almost instantaneously. Member Lamendella stated that he is not convinced from what he has seen or heard that Mayor Stephens has ties to organized crimes. Member Lamendella stated that Mayor Stephens standing is not diminished in his eyes, by the fact that he was almost 20 years ago acquitted. Member Lamendella stated that he marvels at Mayor Stephens' perseverance, strength, and leadership. Member Lamendella stated that he believes that the village of Rosemont and the mayor would be an asset to gaming in Illinois.

Member Yandle stated that she agrees with Member Lamendella that in terms of the appeal and the appropriateness of the Village of Rosemont for many of the reasons outlined by Mr. Larson that the Village of Rosemont is a great location. Member Yandle clarified that her vote was not against the Village of Rosemont. Member Yandle stated that, she as well as all of her fellow Board members, take their responsibility and the standards seriously. Member Yandle stated that there are certain standards that must be met by the applicant, and that when those standards are not present, the Board has to look at whether or not their absence compromises the ability to preserve the integrity of gaming.

Member Levine stated that his vote was not intended to disrespect the Village of Rosemont. Member Levine stated that his decision was based on the record and not based on any

allegations about Mayor Stephens or Rosemont. Member Levine stated that he agrees with Member Yandle and Member Lamendella that Rosemont is a wonderful proposed site.

Member Ryder stated that, after reviewing the investigative record that was presented before the Board by staff, he did not believe that he had any other alternative with respect to the vote.

Chairman Jones clarified that his vote had nothing to do with Rosemont or Mayor Stephens. Chairman Jones stated that his vote was based solely on the conduct, the actions and the statements of the licensee and its representatives and key persons. Chairman Jones stated that geographically Rosemont is a terrific location for a casino, given its accessibility to O'Hare and other businesses. He emphasized, however, the vote was not about the location. Chairman Jones stated that the vote was about what the licensee did and what its Key Persons and owners did during the 16 month process, and even beforehand, with respect to certain issues.

Mr. Ficaro stated that he was disappointed with the process, and that the harm to the reputation of the people involved is astronomical.

HARRAH'S CASINO, JOLIET- Michael St. Pierre, General Manager, was present on behalf of Harrah's Joliet to request a waiver of the Board's requirement as to the IGB surveillance room.

Based on the staff's investigation and recommendation and subject to the final approval of the Administrator, Member Ryder moved that **the Board approve Harrah's Casino Joliet's request for a waiver of the requirement of Board Rule 3000.810 that the surveillance rooms be located on the riverboat. Harrah's proposal to maintain the current IGB office and to add an additional IGB office closer to the location of Harrah's own surveillance office accomplishes the purpose of Board Rule 3000.810 and provides for a contingency plan should dockside gaming no longer be allowed.** Member Yandle seconded the motion. The Board approved the motion unanimously by voice vote.

Michael St. Pierre was present on behalf of Harrah's Joliet to request approval for Ms. Francine Fehrenbach's as a Level One Occupational Licensee.

Based on the staff's investigation and recommendation, Member Yandle moved that **the Board approve Francine Fehrenbach as a Level 1 Occupational Licensee of Harrah's Casino, Joliet.** Member Ryder seconded the motion. The Board approved the motion unanimously by voice vote.

Michael St. Pierre was present on behalf of Harrah's Joliet to request approval for Ms. Rita R. Paullo as a Level One Occupational Licensee.

Based on the staff's investigation and recommendation, Member Yandle moved that **the Board approve Rita R. Paullo as a Level 1 Occupational Licensee of Harrah's Casino,**

Joliet. Member Lamendella seconded the motion. The Board approved the motion unanimously by voice.

ALTON BELLE CASINO – Don Malloy was present on behalf of Alton Belle Casino to request final consideration on the new refinancing and equity capitalization proposal.

Based on the staff's investigation and recommendation, Member Ryder moved that **the Board approve the refinancing and equity capitalization proposal submitted for initial consideration in July 2000. Since that time, parent company Argosy Gaming Company has requested to increase its line of credit, to acquire 100% ownership of all its subsidiaries, and has submitted reasonable projections for amortizing the proposed debt in accordance with the new agreements.** Member Ryder further moved that **the final approval of this proposal be delegated to the Administrator, subject to his review and approval of the final terms and documents.** Member Yandle seconded the motion. The Board approved the motion unanimously by voice vote.

Occupational Licensees

Based on the staff's investigation and recommendation, Member Lamendella moved that **the Board approve 114 applications for an Occupational License Level 2, and 378 applications for an Occupational License Level 3, and deny 0 applications for an Occupational License Level 2, and 11 for an Occupational License Level 3.**

Member Lamendella further moved that **the Board direct the Administrator to contact 5 pending applicants for occupational licenses to notify those applicants that staff has recommended that the Board deny their applications for an occupational license and provide these applicants with an opportunity to respond.**

Member Lamendella further moved that **the Board direct the Administrator to issue Notices of Denial to the following applicants for Level 2 and 3 licenses, each of whom previously received notice that staff intended to recommend denial and still did not respond or provide additional information to rebut staff's recommendation:**

**Carla Camp
Gregory Johnson
Shauna Ross
Adriana Pena
Brandon Wood
Nathan Williams
Rickee Castro
Melody Sanders
Larry Kerley
Jeffrey Mappa
Ricky Karlic**

Said action to take effect in five (5) days unless the licensee requests an Administrative Hearing under Board Rule 3000.1100 within that time. Member Yandle seconded the motion. The Board approved the motion unanimously by voice vote.

Disciplinary Complaints

AUTURO MONTANO, LEVEL 3 OCCUPATIONAL LEVEL LICENSEE - Jeannette Tamayo stated that Mr. Montano entered a plea of guilty to the charge of obstructing justice, a Class 4 felony in the Circuit Court of Kendall County, and is thus precluded from working in Illinois casinos.

Member Yandle moved that **the Board direct the Administrator to issue a Disciplinary Complaint against Arturo Montano, a Level 3 Occupational Licensee, for his failure to maintain suitability as required under Board Rule 3000.1105 as he pled guilty to a Class 4 Felony on October 5, 2000 Kendall County Circuit Court.**

Member Yandle further moved that **the Board revoke Mr. Montano's Occupational License. Said action to take affect twenty-one (21) days from the date of service of this complaint unless the licensee files an Answer within that time period.** Member Ryder seconded the motion. The Board approved the motion unanimously by voice vote.

SHEROLETTE WARE, LEVEL 2 OCCUPATIONAL LEVEL LICENSEE – Ms. Tamayo stated that the Circuit Court in Madison County entered a judgement and conviction against Ms. Ware on one count of theft over \$10,000. Ms. Tamayo stated that the conviction is for crime involving dishonesty, which precludes employment in Illinois casinos.

Member Ryder moved that **the Board direct the Administrator to issue a Disciplinary Complaint against Sherollette Ware, a Level 2 Occupational Licensee, for a conviction that was entered against her on one count of theft over \$10,000.00, a Class 2 Felony, on September 11, 2000 by the Madison County Circuit Court.**

Member Ryder further moved that **the Board revoke Ms. Ware's Occupational License. Said action to take affect twenty-one (21) days from the date of service of this complaint unless the licensee files an Answer within that time period. Member Lamendella seconded the motion.** The Board approved the motion unanimously by voice vote.

JOSEPH KEIFFER, LEVEL 2 OCCUPATIONAL LEVEL LICENSEE – Ms. Tamayo stated that Mr. Keiffer entered a plea of guilty to the charge of deceptive practices in the Clinton County Circuit Court. Ms. Tamayo stated that the conviction is for a crime involving dishonesty, which precludes employment in Illinois casinos.

Member Lamendella moved that **the Board direct the Administrator to issue a Disciplinary Complaint against Joeseeph Keiffer, a Level 2 Occupational Licensee for**

failure to provide information to the Board and as he pled guilty to the charge of Deceptive Practices, a Class A Misdemeanor, on April 20, 1998, by the Clinton County Circuit Court.

Member Lamendella further moved that **the Board revoke Mr. Keiffer's Occupational License. Said action to take affect twenty-one (21) days from the date of service of this complaint unless the licensee files an Answer within that time period.** Member Levine seconded the motion. The Board approved the motion unanimously by voice vote.

EMPRESS CASINO, JOLIET – Jeannette Tamayo reported that on July 19, 2000, the Board issued its notice of denial and made reference to the existence of a contractual relationship for lobbying and other services that were at less than fair market value. On July 27th, Empress entered into a new contract for consulting services with John Glennon, North American Capital Opportunities, which is the same contractor referenced in the Notice of Denial. Ms. Tamayo stated that the contract has been terminated effective December 7, 2000. Ms. Tamayo stated that the terms of the July 2000 contract provided that the contractor could receive a success fee of up to \$1.5 million when Empress closed on the sale of its business. Ms. Tamayo stated that by its terms, the July 2000 contract did not require the contractor to actually participate in a refinancing in order to be entitled to the success fee. Ms. Tamayo stated that Empress has not paid the contractor the success fee. Ms. Tamayo asked for the issuance of a disciplinary complaint as a holder of an owner's license be required to enter into contracts relating to its license activities for fair market value. Ms. Tamayo also brought before the Board a proposed stipulation which states the following: Whereas, the disciplinary complaint has been previously issued by the Board for entering into a contract for consulting services prior to the June 30th denial; whereas, the following specific facts are stipulated to: that on July 27, 2000, Empress entered into a new contract for consulting services with John Glennon and north American Capital Opportunities; whereas on December 7, Empress terminated the July 2000 contract. Ms. Tamayo stated that the stipulation provides for the terms, which was referenced earlier of the July 2000 contract. Ms. Tamayo stated that Empress has not paid and will not pay the contractor the success fee. Ms. Tamayo stated that Empress agrees that the July 27, 2000 contract could be interpreted in a manner inconsistent with the fair market value requirement of Board Rule 3000.170. Ms. Tamayo stated that the Board, staff, and Empress Casino should avoid the expense of the proceedings before an administrative law judge and possible subsequent judicial proceedings. Ms. Tamayo stated Empress has agreed to pay a fine in the amount of \$95,000. Ms. Tamayo read a letter dated January 30, 2001 from Mr. William Kunkle who represents Empress. Ms. Tamayo requested that the Board authorize a Disciplinary Complaint against Empress and impose a \$95,000 fine, based on a stipulation of facts which Empress would not contest. Ms. Tamayo further requested that the Board dismiss the Disciplinary Complaint upon payment of the fine.

For the reasons stated by staff, Member Levine moved that **the Board issue a Disciplinary Complaint against the Empress Joliet Casino Corporation for its failure to comply with Board Rule 3000.170 by entering into a consulting agreement on or about July 27, 2000 in excess of fair market value.**

Member Levine further moved that **the Board impose a fine of \$95,000 on Empress Casino Joliet Corporation, said action to take effect twenty-one (21) days from the date of service of the complaint unless the licensee fails to file an Answer within that time period.**

For the reason stated by staff, Member Levine moved that **the Board accept the proposed Stipulation.**

Member Levine further moved that **the Board enter an order dismissing the complaint effective upon the payment of the fine.** Member Yandle seconded the motion. The Board approved the motion unanimously by voice vote.

Member Ryder stated that owner licensees should be aware that when contracts are entered into with persons, especially for lobbying, consulting, and other specialized activities, the licensees should be aware that the Board will give such contracts due consideration.

Chairman Jones stated that in the near future, the Board will be proposing additional regulations to deal with this situation and avoid problems that may have occurred, as in this case, in the future.

Administrative Hearing/ALJ Report

EMPRESS JOLIET – Bill Kunkle was present on behalf of Empress, Jack Binion, and Horseshoe Gaming Holding Company. Ms. Tamayo appeared before the Board in her capacity as the Special Assistant Attorney General appointed in the administrative hearing regarding the denial of Empress Casino Joliet’s owner’s license.

Ms. Tamayo stated that there are a number of motions pending in the proceeding, and it has not gone to hearing on the merits before the administrative law judge. Ms. Tamayo stated that opposing counsel have approached staff about the possibility of settling and resolving the issues in the administrative hearing. Ms. Tamayo stated that as to the terms under which staff could recommend to the Board that it enter into a settlement agreement disposing preliminarily of the issues in the administrative hearing and providing for the economic disassociation of Mr. Jack Binion from Empress and Horseshoe Gaming Holding Corporation from Empress Casino Joliet. Ms. Tamayo briefed the Board on some of the key terms that are in the settlement proposal. Ms. Tamayo stated that within 30 days of the execution of the agreement, Horseshoe Gaming Holding Corporation’s ownership interest in Empress should be placed with an independent nationally recognized investment-banking firm to arrange for the sale of its interest in Empress. Ms. Tamayo stated that the sale would be subject to the Board’s approval. Ms. Tamayo stated that if the holding corporation, HGHC, does not enter into an enforceable and definitive sales agreement within 150 days of the effective date of when the Board enters into the settlement agreement, it will cause to have established a five-person Empress Board of Directors. The five-person Empress Board of Directors will be an independent board of directors with three independent members and

two named by Empress. Each of these Empress Board members would be subject to review and approval for suitability purposes by the Board. Ms. Tamayo stated that, within 90 days of the effective date of this agreement or upon the closing of the sale of Empress, Mr. Binion would withdraw his request to be approved as a key person. Ms. Tamayo stated that Mr. Binion would cease to exercise, either directly or indirectly, at the corporate parent level or otherwise, any control over the management or operation of the day-to-day activities of Empress. Ms. Tamayo stated that Mr. Binion would cease to receive any direct form of compensation or dividends from the operation of Empress. Mr. Binion will also cease to serve as a director, officer, employee or consultant of Empress. Ms. Tamayo stated that Mr. Binion agrees that, within 120 days of the effective date, the corporate headquarters and the parent corporation, Horseshoe Gaming, shall be relocated out of Empress Casino Joliet's offices. Ms. Tamayo stated that if an enforceable and definitive agreement to sell is provided to the Board within 150 days but no closing occurs within the 150 days, the current management of Empress would be able to continue to be responsible for operating and managing Empress at the sole and absolute discretion of the Board. Ms. Tamayo stated that if at any time the Board chose to have a new independent Empress Board of Directors put in place to oversee the current management, the Board would have the authority to do so. Ms. Tamayo stated that if within the 150 days a contract, a definitive agreement to sell Empress is not tendered to the Board, Empress agrees to pay \$2 million, which would have been deposited in escrow prior to that date and which they would forfeit, and to pay an additional sum of \$10,000 per day thereafter unless and until the sales of agreement has been produced. Ms. Tamayo stated that if by January 31, 2002, the property has not been sold, the Board may appoint a trustee from a nationally recognized investment banking firm or a partner in a Big Six accounting firm, both of whom or either of whom would have to have experience in the gaming industry, and would be appointed for the sole purpose of selling Empress Casino Joliet. Ms. Tamayo stated that if no sale has been concluded after one year of the appointment, the Board may, at its sole and absolute discretion, recover and otherwise dispose of the owner's license currently held by Empress Joliet.

Ms. Tamayo stated that there is a Memorandum of Understanding that specifically identifies the role of an independent Empress Board of Directors were it to come into place. Ms. Tamayo stated that there are, as a standard in any agreement, numerous provisions providing for the finality, the consideration, and the legal requirements to make this an enforceable agreement. Ms. Tamayo stated that one of the ways in which the Board will be able to enforce the agreement is that the administrative hearing would not be dismissed until the closing of a sale of Empress. Ms. Tamayo stated that the administrative hearing would initially be continued for at least 150 days. Ms. Tamayo stated that by that time, there should have been compliance on several issues: the execution of a definitive agreement to sell, the relocation of Empress' corporate headquarters, and Mr. Binion having ceased his involvement as earlier described. Ms. Tamayo stated that if those conditions are met and there is a definitive agreement to sell, the administrative hearing would then be continued ostensibly to sometime in January 2002 to make sure that a sale has been concluded. Ms. Tamayo asked that the Board accept the joint settlement agreement, approve the settlement agreement, and enter an order directing the administrative judge to stay the administrative proceedings pending the conclusion of the agreement. Ms. Tamayo stated that staff has

signed documents by Mr. Roger Wagner, President of Empress Joliet, by Mr. Binion, and by various attorneys. Ms. Tamayo asked that the Board authorize Administrator Acosta to execute the document.

Member Yandle questioned the status of the advertising campaign by Empress.

Mr. Kunkle stated that the campaign is nonexistent and that all the ads were pulled. Mr. Kunkle stated that some ads took longer to disappear than others because of commitments. Mr. Kunkle stated that there are some actual print ads that will be in some suburban magazines into February, but other than that, all other signage, voice messages and TV and radio ads were pulled.

Member Ryder stated that he feels that Mr. Kunkle and the lawyers who represented Empress, as well as the lawyers who represented the Gaming Board on this issue are to be commended. Member Ryder questioned if the document mentioned is a public document.

Ms. Tamayo stated that it is a public document.

Ms. Tamayo stated that the purchaser of Empress would be agreeing to a one-year restricted license and to not contest that one-year restricted license, so that the Board would not only be approving their suitability to come to Illinois but have a limited time in which to review their operations and determine whether they should continue.

Member Ryder moved that **the Board adopt the following resolutions:**

Be it hereby resolved that the best interests of the State of Illinois, its citizens, and its gaming industry are best served by providing an expedient and definitive resolution of the pending administrative hearing. Be it further resolved that the Board maintains its initial finding of unsuitability of Jack Binion and Empress Casino Joliet Corporation until such time as Mr. Binion disassociates himself with the management and operation of Empress Casino Joliet. Further, be it resolved that the execution of the proposed settlement agreement constitutes a compromise only on the date certain by which Empress Joliet Casino will be owned, managed and directed by key persons found suitable under the Board's Rules and not, as is the current case, strictly by key persons entitled to own, operate and manage Empress Joliet Casino by operation of law.

Based on the joint presentation by counsel and the staff's recommendation, I move that the Board adopt a resolution accepting the proposed settlement and authorize legal counsel to present the proposed settlement agreement to ALJ Herbert Holzman for disposition of this matter in accordance with the terms of the settlement agreement.

Member Ryder further moved that **the Board delegate to the Administrator the authority to execute the proposed settlement agreement.** Member Yandle seconded the motion. Member Lamendella opposed the motion. The motion passed 4-1.

Member Lamendella stated that the Board found Mr. Binion unsuitable for licensure, with the consequence that he was barred from operating a casino in Illinois. Member Lamendella stated that the finding was based upon principles of maintaining the integrity of gaming in Illinois. Member Lamendella expressed that he is troubled by the part of the agreement that allows Mr. Binion to remain as a gaming operator in Illinois. Member Lamendella stated that the Horseshoe entity should not have been approved as a buyer of Empress and as a licensee without simultaneous approval or disapproval of its major shareholder, Jack Binion. Member Lamendella stated that, in his judgement, it is inconsistent for the Board to reverse a major consequence of its initial order by being a willing participant to an agreement allowing Mr. Binion to remain as an operator in Illinois.

Member Lamendella requested one more item of personal privilege and stated that being a member of the Illinois Gaming Board demands a spirited and enthusiastic dedication to the highest traditions of public service, vigilance, professionalism, and excellence. Member Lamendella stated that he has tried to conduct himself in accordance with those objective and subjective standards and in a manner otherwise befitting this office. Member Lamendella stated that he is committed to serve the best interest of the people of this state with passion and zeal, and without that commitment, he would be a poor public servant. Member Lamendella stated that when the passion and zeal are gone, it will be time for him to leave. Member Lamendella stated that the passion and zeal are gone and his resignation has been faxed to the Governor. Member Lamendella thanked the Board and the staff and expressed his pleasure in working with them. Member Lamendella wished the industry and those who oppose the industry good fortune.

Member Yandle stated that she shares Mr. Lamendella's value for integrity and with respect to the Empress settlement agreement, she does not agree that the Board has compromised itself as to its integrity. Member Yandle stated that, on a personal note, she has appreciated the opportunity to serve with Member Lamendella on the Board. Member Yandle stated that Member Lamendella's integrity and professionalism are impeccable.

Chairman Jones stated that he was at a loss of words, and that it was a surprise to him that Member Lamendella was resigning. Chairman Jones stated that Member Lamendella has been an outstanding Board member and he wishes him well. Chairman Jones stated that the Board and the public owes Member Lamendella much for what he has contributed to this Board and the thoughtful way in which he has approached problems on which the Board has focused.

Member Levine stated that he was not aware of Member Lamendella's resignation until now. Member Levine stated that he has the highest respect and admiration for Member Lamendella and he is going to miss him.

Member Ryder stated that it has been a pleasure work with Member Lamendella and that Member Lamendella's exit is commensurate with the grace with which he served.

Administrator Acosta stated that he speaks on behalf of all the staff by saying that they have enjoyed working with him and that Member Lamendella is a straight – shooter who speaks his mind and from the heart. Administrator Acosta stated that staff has always appreciated Member Lamendella's quality of work and that he will be missed a great deal.

Deputy Chief Counsel Jeannette Tamayo stated that it has been an honor to serve Member Lamendella and to be guided by his professionalism and ethics, both as an attorney and as a Board member.

At 5:20 P.M., Member Yandle moved that the Board adjourn. Member Lamendella second the motion. The Board approved the motion unanimously by voice vote.

Respectfully submitted,

Monica Thomas
Secretary to the Board